

# HOUSE BILL REPORT

## SSB 5724

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**As Reported by House Committee On:**  
Technology, Energy & Communications

**Title:** An act relating to electricity from biomass energy that is a renewable resource.

**Brief Description:** Concerning the generation of electricity from biomass energy that is a renewable resource.

**Sponsors:** Senate Committee on Environment, Water & Energy (originally sponsored by Senator Pridemore).

**Brief History:**

**Committee Activity:**

Technology, Energy & Communications: 3/18/09, 3/23/09 [DPA].

**Brief Summary of Substitute Bill  
(As Amended by House)**

- Allows any county where a public utility district provides electricity for sale within the county to construct, purchase, acquire, operate, and maintain a biomass energy generation facility.

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### HOUSE COMMITTEE ON TECHNOLOGY, ENERGY & COMMUNICATIONS

**Majority Report:** Do pass as amended. Signed by 16 members: Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Carlyle, Condotta, DeBolt, Finn, Hasegawa, Herrera, Hudgins, Jacks, McCune, Morris, Takko and Van De Wege.

**Staff:** Scott Richards (786-7156)

**Background:**

Public Utility Districts.

Public Utility Districts (PUDs) are municipal corporations authorized to provide electricity, water, and sewer service. Of the 28 operating PUDs in Washington, 23 PUDS provide electricity to their customers.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Biomass Energy Generation Facility.

Under solid waste management laws, a county may generate electricity from solid waste if the necessary solid waste and air quality permits are obtained. However, it is not clear in law whether counties are authorized to generate electricity from biomass energy generation facilities.

### The Energy Independence Act.

Approved by voters in 2006, the Energy Independence Act (Initiative 937) requires electric utilities with 25,000 or more customers to meet targets for energy conservation and for using eligible renewable resources.

Under Initiative 937, "biomass energy" is an eligible renewable resource if it is based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include the following: (1) wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (2) black liquor byproduct from paper production; (3) wood from old growth forests; or (4) municipal solid waste.

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### **Summary of Amended Bill:**

Any county legislative authority where a public utility district owns and operates a plant or system for the generation, transmission, and distribution of electric energy for sale within the county may construct, purchase, acquire, operate, and maintain a facility to generate electricity from biomass energy. "Biomass energy" means a renewable resource as defined under Initiative 937, lignin in spent pulping liquors, or liquors derived from algae and other sources.

The county legislative authority has the authority to regulate and control the use, distribution, sale, and price of the electricity produced from a biomass facility.

### **Amended Bill Compared to Original Bill:**

The types of fuels that may be used to generate electricity from a biomass energy facility are expanded to include lignin in spent pulping liquors and liquors derived from algae and other sources.

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**Appropriation:** None.

**Fiscal Note:** Requested on March 23, 2009.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Clark County has an opportunity to enter into a partnership to develop a biomass energy facility in the county. The language that includes the public utility district ensures that the development of a plant by a county is done in coordination and in cooperation with a local public utility district. It is not clear in law that a county has authority to develop a biomass energy facility. This bill makes the authority explicit in statute.

(Opposed) None.

**Persons Testifying:** Senator Pridemore, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.